

Exhibit A

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE**

RITA STAPLES

Plaintiff,

Case No. 23-
Hon.

-NO

-VS-

SPIRIT AIRLINES

Defendant.

WARFIELD LAW, PLLC

Jessica D. Warfield (P85391)

Attorneys for Plaintiffs

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*There is no resolved or unresolved civil action arising out of the same transaction or
occurrence alleged in this Complaint.*

COMPLAINT

PARTIES AND JURISDICTION

1. Plaintiff, Rita Staples, resides in the County of Wayne, City of Westland, State of Michigan.
2. Defendant, Spirit Airlines, conducts business in the County of Wayne, State of Michigan
3. The amount of controversy is within the jurisdiction of this court because Plaintiff claims damages in excess of \$25,000.00.
4. Venue is proper in this Court pursuant to MCL 600.1621 (a), for the reason that this is the County which the Defendant does business.

COMMON ALLEGATIONS:

5. Plaintiff was a passenger on a Spirit Airlines flight on August 16, 2022.
6. Plaintiff was traveling to Detroit, MI.
7. While on this flight, Plaintiff was seated in her assigned seat.
8. While the plane was in the air, Defendant's flight attendant opened an overhead compartment.
9. When that flight attendant opened the overhead compartment, a metal object fell out and hit Plaintiff on her arm.
10. Plaintiff immediately asked for ice, a request in which the flight staffed obliged.
11. Plaintiff suffered severe injury to her right wrist.
12. Plaintiff sought immediate medical treatment. She is currently disabled and restricted from engaging in any physical activity.
13. Plaintiff is treating at physical therapy and will require extensive rehabilitation.
14. Even worse, Plaintiff was recommended by medical personnel for surgery in order to remedy her severely injured wrist.
15. Due to her injuries, Plaintiff has been unable to fully perform her work duties, which has resulted in substantial financial hardship.
16. Beyond the financial strain her injuries have caused, Plaintiff is suffering from a loss in quality of life – specifically, she is unable to:
 1. hold her grandson;
 2. hold pots and pans;
 3. write well with her dominate hand;
 4. hold and lift objects for long periods of time; and

5. comfortably groom herself.
17. Ultimately, Plaintiff is enduring emotional pain and suffering, which is impacting her quality of life physically, emotionally, and financially.
18. Defendant has refused to cooperate or assist Plaintiff with costs and/or medical bills in any way.
19. As a result, Plaintiff has been injured aforesaid.

COUNT I: PREMISES LIABILITY

20. Plaintiff incorporates by reference paragraphs one through nineteen.
21. Defendant had a duty to use ordinary care to protect Plaintiff, as an invitee who confers an economic benefit, from conditions on its premises that presented unreasonable risks of harm, including falling object from the overhead compartments.
22. Defendant knew, or should have known, that a danger was present in the overhead compartment and that it posed an unreasonable risk of harm to invitees if the overhead compartment was opened while the plane was in motion.
23. Defendant breached its duty to protect Plaintiff from unreasonable risks of harm on their premises by failing to take due care and caution when Defendant's agent opened the overhead compartment while the plane was in motion.
24. As a direct and proximate result of Defendant's breach of duty to use ordinary care to protect Plaintiff, as an invitee, from unreasonable risks of harm on their premises, Plaintiff sustained serious personal injuries.
25. As a result of her injuries suffered on August 16, 2022, Plaintiff has sustained damages and will, in the future, continue to sustain damages, including, but not limited to, the following:

- a. physical pain and suffering; mental anguish; fright and shock; denial of social pleasure and enjoyments; and embarrassment, humiliation, or mortification;
- b. disability, including the loss or impairment of her ability to use her arm and shoulder;
- c. disfigurement of her dominate hand and wrist;
- d. an increase in pain and suffering, disability, and related expenses arising from aggravation of a pre-existing ailment or condition;
- e. reasonable expenses for necessary medical care, treatment, and services;
- f. loss of earning capacity;
- g. reasonable expenses for medical bills and surgery, which has been required as a result of Plaintiff's injury.

26. As a result, Plaintiff has been damaged aforesaid.

COUNT II: ORDINARY NEGLIGENCE

27. Plaintiff incorporates by reference paragraphs one through twenty-six.

28. Defendant owed a duty to use reasonable care in maintaining the safety of all passengers on the plane which included ensuring that objects from opened overhead compartments did not fall on passengers.

29. Defendant breached its duty to use reasonable care and, thus, were negligent by failing to ensure objects in the overhead compartments did not fall on passengers, ultimately eliminating dangers and risks on the plane.

30. As a direct and proximate result of Defendant's breach of its duty to use reasonable care in operating and maintaining the plane, Plaintiff sustained serious personal injuries to her

dominate hand and wrist resulting in medical bills, loss of wage-earning capacity and future wages, and loss of quality of life.

31. As a result of her injuries suffered on August 16, 2022, Plaintiff has sustained damages and will in the future sustain damages, including, but not limited to, the following:

- a. physical pain and suffering; mental anguish; fright and shock; denial of social pleasure and enjoyments; and embarrassment, humiliation, or mortification;
- b. disability, including the loss or impairment of her ability to use her arm and shoulder;
- c. disfigurement of her dominate hand and wrist;
- d. an increase in pain and suffering, disability, and related expenses arising from aggravation of a pre-existing ailment or condition;
- e. reasonable expenses for necessary medical care, treatment, and services;
- f. loss of earning capacity;
- g. reasonable expenses for medical bills and surgery, which has been required as a result of Plaintiff's injury.

PRAYER FOR RELIEF:

Plaintiff respectfully requests that this Honorable Court award damages that will fairly and justly compensate for her injuries, losses, and damages, plus costs, interest, and attorney fees, and any other relief this Court deems fair, just, and equitable under the circumstances.

Respectfully submitted,

WARFIELD LAW, PLLC

Dated: August 23, 2023

/s/ Jessica D. Warfield

Jessica D. Warfield (P-85391)

Warfield Law, PLLC

Attorney for Plaintiff

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PLAINTIFF'S JURY DEMAND

Plaintiff, Rita Staples, by and through her counsel, Warfield Law, PLLC, pursuant to Michigan Court Rules 2.508(B), demands a trial by jury and, herewith, submits the required jury fee.

Respectfully submitted,

WARFIELD LAW, PLLC

Dated: August 23, 2023

/s/ Jessica D. Warfield

Jessica D. Warfield (P-85391)

Warfield Law, PLLC

Attorney for Plaintiff

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